

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SHARON ELAINE BURLESON,  
Plaintiff,

v.

SECURITY PROPERTIES  
RESIDENTIAL, LLC, *et al.*,  
Defendants.

CASE NO. C18-0513RSL

ORDER COMPELLING  
DISCOVERY RESPONSES  
AND EXTENDING CASE  
MANAGEMENT DEADLINES

This matter comes before the Court on “Defendants Security Properties Residential, LLC’s and Amy Simpson’s Motion to Deem Answers to Discovery Admitted and Motion to Compel Production of Documents” (Dkt. # 124), defendant American Utility Management, Inc.’s joinder therein (Dkt. # 128), and “Defendants’ Joint Motion for Extension of Case Management Deadlines” (Dkt. # 126). Having reviewed the timely-filed memoranda, declarations, and exhibits submitted by the parties,<sup>1</sup> the Court finds as follows:

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<sup>1</sup> Plaintiff was expressly directed to ensure that her response memoranda were filed and served on or before November 16, 2017. While the Court has considered the original, timely-filed response and the exhibits that were filed on November 17, 2017, her “corrected” response (Dkt. # 143), which was filed after defendants had submitted their replies, has not been considered.

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1 Plaintiff's objections to defendants' discovery requests are overruled. There is no  
2 bar against two defendants jointly serving discovery requests. Such a procedure reduces  
3 the burden on plaintiff and poses no risk of prejudice. Nor may a party refuse to respond  
4 to discovery on the ground that the opposing party's responses are deficient.

5 Defendants seek to compel discovery responses and/or to have their requests for  
6 admission deemed admitted. In addition, they request a four month extension of the  
7 discovery cut-off date and all subsequent case management deadlines. Defendants'  
8 motions are GRANTED in part.

9 • Plaintiff shall, within twenty-one days of the date of this Order, respond to  
10 (a) the requests for admission and requests for production served by defendants Security  
11 Properties Residential, LLC, and Amy Simpson and (b) AUM's Interrogatories Nos. 1-  
12 3, 6, 10, and 11 and Requests for Production Nos. 1, 2, 7, 12, and 21. If plaintiff has no  
13 information or documents that are responsive to a particular discovery request, she shall  
14 so state in her response. Failure to substantively respond within the time allowed may  
15 result in requests for admission being deemed admitted and/or the exclusion of evidence  
16 at summary judgment and trial.

17 • Within thirty-five days of the date of this Order, plaintiff shall disclose to  
18 defendants the amount of damages she is seeking in this litigation and the way that  
19 amount was calculated. Failure to substantively respond within the time allowed may  
20 result in the waiver of any claim for damages.

21 • If, after reviewing plaintiff's responses to written discovery, one or more  
22 defendants seeks to depose plaintiff, defendant shall provide at least fourteen days'  
23 notice of the deposition, which shall occur by remote means within sixty days of the date  
24 of this Order.

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● An amended case management order will be issued. No additional discovery other than that discussed in this Order is permitted.

● The Clerk of Court is directed to renote the pending motions for summary judgment (Dkt. # 144, # 146, and # 149) on the Court's calendar for Friday, April 2, 2021. Defendants may rest of the existing papers or withdraw the pending motions and refile by the new dispositive motion deadline.

For all of the foregoing reasons, defendants' motions (Dkt. # 124, # 126, and # 128) are GRANTED in part.

Dated this 11th day of December, 2020.

Mr S Casnik

Robert S. Lasnik  
United States District Judge

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